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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

NICHA LEASER, ATCHARA WONGSAROJ,
KATINA MAGEE, and JOYCE EISMAN,
individually, and on behalf of others similarly
situated,

Plaintiffs,

v.

PRIME ASCOT, L.P., a California limited
partnership, *et al.*,

Defendants.

Case No. 2:20-CV-02502-TLN-AC

**STIPULATION AND ORDER TO
EXTEND DEFENDANTS' TIME TO
RESPOND TO SECOND AMENDED
COMPLAINT**

Judge: The Honorable Troy L. Nunley

Trial Date: None Set

Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rule 144, Plaintiffs and Defendants, by and through their undersigned counsel of record, hereby stipulate with respect to Defendants' time to respond to Plaintiffs' Second Amended Complaint, as follows:

WHEREAS, Defendants filed motions to dismiss and strike Plaintiffs' First Amended Complaint on December 23, 2020 (ECF No. 6) and on May 13, 2021 (ECF No. 16);

WHEREAS, on March 4, 2022, the Court issued its Order (ECF No. 26), granting in part and denying in part those motions;

WHEREAS, pursuant to the Order, Plaintiffs were required to file an amended complaint within thirty days of the electronic filing of the Order, and Defendants were required to file a responsive pleading not more than twenty-one days after the filing of the amended complaint;

WHEREAS, on March 14, 2022, Defendants filed a motion for reconsideration of the Court’s March 5, 2022 Order (ECF No. 27). In that motion for reconsideration, Defendants requested that the Court reconsider its ruling that Plaintiffs sufficiently alleged aiding and abetting liability in the First Amended Complaint. That motion for reconsideration is fully briefed and under submission;

WHEREAS, Plaintiffs filed a Second Amended Complaint, pursuant to the Order, on April 4, 2022 (ECF No. 30). Pursuant to the Order, Defendants' responsive pleading therefore must be filed on April 25, 2022;

WHEREAS, if the motion for reconsideration is granted, Plaintiffs may be required to further amend their complaint, and, in any event, the Court's ruling on the motion for reconsideration may significantly affect Defendants' response to the amended pleading; and

WHEREAS, the Parties have not previously requested any extensions, and the Parties do not enter into this stipulation for the purposes of delay.

STIPULATION

NOW THEREFORE, the Parties hereby stipulate and agree, subject to the Court's approval, as follows:

Defendants' time to respond to the Second Amended Complaint shall be **EXTENDED** to fourteen (14) days after the date the Court files its Order ruling on Defendants' motion for reconsideration, or June 30, 2022, whichever date is sooner.

1 **SO STIPULATED:**

2 DATED: April 15, 2022

COBLENTZ PATCH DUFFY & BASS LLP

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5 */s/ Howard A. Slavitt*
HOWARD A SLAVITT
6 Attorneys for Defendants

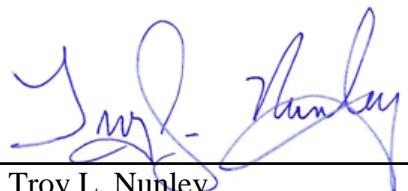
7 DATED: April 15, 2022

NICHOLAS & TOMASEVIC, LLP

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10 */s/ Ethan T. Litney (as authorized on April 15, 2022)*
ETHAN T. LITNEY
11 Attorneys for Plaintiffs

13 **IT IS SO ORDERED**

14 DATED: 4/15/2022



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Troy L. Nunley
16 United States District Judge